

Amendments to the Claims:

Please amend Claims 1 through 17 to read, as follows.

1. **(Currently Amended)** A manufacturing method for a toner container provided with an opening, said method comprising:
  - a filling step of filling the toner container with toner through an opening;
  - a closing step of setting a cap member and closing the opening with the cap member, after said filling step; and
  - a sealing step of sealing the opening by vibration welding of the cap member to the toner container by a welding jig,wherein the cap member is welded to the toner container while imparting a relative movement of the welding jig relative to the toner container toward an unwelded ~~un-welded~~ portion.
2. **(Currently Amended)** A method ~~An apparatus~~ according to Claim 1, further comprising a fixing step of fixing a position of the toner container and substantially preventing movement of the toner container, wherein ~~movement, and~~ said filling step is effected after said fixing step.
3. **(Currently Amended)** A method ~~An apparatus~~ according to Claim 2, wherein the ~~the~~ [[said]] relative movement is provided by moving the welding jig.

4. **(Currently Amended)** A method according to anyone of Claims 1-3, further comprising a pressing step of pressing the cap member into the toner container by a pressing jig after the cap member is set in the toner container in said closing step.  
container.

5. **(Currently Amended)** A method ~~An apparatus~~ according to Claim 4, wherein said sealing step is effected after ~~[[with]]~~ the cap member is pressed into the toner container in said pressing step. container.

6. **(Currently Amended)** A method ~~An apparatus~~ according to Claim 1, wherein the cap member is ultrasonic-welded to the toner container by the welding jig.

7. **(Currently Amended)** A method ~~An apparatus~~ according to Claim 1, wherein in said ~~[[the]]~~ sealing step, the welding jig is circulated around the opening to return to a start point of welding.

8. **(Currently Amended)** A method ~~An apparatus~~ according to Claim 1, wherein the welding jig has a projected free end.

9. **(Currently Amended)** A method ~~An apparatus~~ according to Claim 1, wherein the opening functions to permit removal of a mold during injection molding of the toner container.

10. **(Currently Amended)** A toner container detachably mountable to an image forming apparatus, said toner container comprising:

a container body;

an opening provided in said container body; and

a cap member for closing said opening, ~~the opening~~;

wherein said ~~the~~ cap member is welded to the toner container while imparting a relative movement of a ~~the~~ welding jig relative to said container body toward an unwelded ~~un-welded~~ portion to seal said ~~the~~ opening by vibration welding of said cap member to said container body using the ~~a~~ welding jig after filling the toner into said container body through said ~~the~~ opening.

11. **(Currently Amended)** A toner container ~~An apparatus~~ according to Claim 10, wherein said opening accepts ~~the opening accept~~ filling toner with a position of the ~~the~~ [[said]] toner container being substantially immovably fixed.

12. **(Currently Amended)** A toner container ~~An apparatus~~ according to Claim II, wherein said cap member is welded to the ~~the~~ [[said]] toner container by moving the welding jig.

13. **(Currently Amended)** A toner container ~~A method~~ according to any one ~~anyone~~ of Claims 10-12, wherein said cap member is welded while a pressing jig presses said cap member.

14. **(Currently Amended)** A toner container ~~An apparatus~~ according to Claim 10, wherein said cap member is ultrasonic-welded to the ~~the~~ ~~[[said]]~~ toner container by the welding jig.

15. **(Currently Amended)** A toner container ~~A method~~ according to Claim 10, wherein said ~~the~~ ~~[[the]]~~ cap member is welded while the welding jig is circulated around said ~~the~~ ~~[[the]]~~ opening to return to a start point of welding.

16. **(Currently Amended)** A toner container ~~An apparatus~~ according to Claim 10, wherein said ~~the~~ ~~[[the]]~~ cap member is welded by the welding jig having a projected free end.

17. **(Currently Amended)** An apparatus according to Claim 10, wherein said ~~the~~ ~~[[the]]~~ opening functions to permit removal of a mold during injection molding of the toner container.

### Response to Restriction Requirement

In the Official Action, the Examiner has set forth a two-way restriction requirement, as follows:

Group I, consisting of Claims 1 through 9, is directed to a manufacturing method for a toner container, classified in class 053, subclass 471; and

Group II, consisting of Claims 10 through 17, is directed to a toner container, classified in class 206.

The Examiner contends that the inventions of Groups I and II are patentably distinct for the reasons set forth in the Official Action.

In order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect, with traverse for the reasons set forth below, to prosecute the invention of Group I, namely Claims 1 through 9.

Applicants submit that any nominal burden placed upon the Examiner to search an additional classes(es) and/or subclass(es), necessary to determine the art relevant to Applicants' overall invention is significantly outweighed by the public interest in not having to obtain and study several patents in order to have available all of the patent claims covering Applicants' invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office (the "PTO") and on Applicants.

In the interest of economy for the PTO, for the public-at-large, and for Applicants, reconsideration and withdrawal of the restriction requirement and examination of all pending claims are respectfully requested.

Amendment

Claims 1 through 17 remain pending in the application. Claims 1 through 17 have been amended to even more succinctly define the invention and/or to improve their form. It is respectfully submitted that no new matter has been added. (It is understood that the Examiner may withdraw Claims 10 through 17 as being directed to a nonelected invention. However, Claims 10 through 17 have been amended in the event that the Examiner chooses to act on all of the pending claims.)

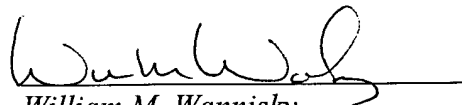
Claims 1 and 10 are the only independent claims pending in the application.

Conclusion

Favorable consideration hereof and an early passage to issue of the application are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to the New York address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wannisky', written over a horizontal line.

*William M. Wannisky*  
Attorney for Applicants  
Registration No. 28,373

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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